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DEPT FOR T, VCI AND EUR/PRA
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NAVY FOR CNO-N5JA AND DIRSSP
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NSC FOR LOOK
DIA FOR LEA

E.O. 12958: DECL: 12/19/2019

TAGS: KACT MARR PARM PREL RS US START
SUBJECT: START FOLLOW-ON NEGOTIATIONS, GENEVA
(SFO-GVA-VII): (U) JOINT TREATY TEXT AND DEFINITIONS
WORKING GROUPS MEETING, DECEMBER 17, 2009 (CORRECTED COPY)

REF: A. GENEVA 1225 (SFO-GVA-VII-134)
1B. GENEVA 1236 (SFO-GVA-VII-155)

Classified By: A/S Rose E. Gottemoeller, United States
START Negotiator. Reasons: 1.4(b) and (d).

11. (U) This is SFO-GVA-VII-158.

12. (U) Meeting Date: December 17, 2009
Time: 3:30 P.M. - 5:00 P.M.
Place: U.S. Mission, Geneva

SUMMARY

13. (S) The Counting Rules and Definitions Sub-groups met in succession to review new and existing language in Articles II, III and IV and agreed to send seven terms to the Conforming Group ("air base," "deployed launcher of ICBMs," "deployed launcher of SLBMs," non-deployed ICBM," "non-deployed launcher of ICBMs" "non-deployed launcher of SLBMs," and "non-deployed mobile launcher of ICBMs").

14. (S) SUBJECT SUMMARY: Article II: Warhead Versus Armaments for Heavy Bombers; Article III: What's the Attribution Number?; III: When Heavy Bombers Die; Article VII and XI Clean Up; Definitions Sent to Conforming; and Additional Discussions.

ARTICLE II: WARHEAD VERSUS ARAMAMENTS FOR HEAVY BOMBERS

¶ 15. (S) Mr. Taylor began the Counting Rules portion of this meeting of the sub-groups of the Treaty Text and Definitions Working Group by handing over a U.S. working paper with new text for paragraph 1(b) of Article II, which read: "((500))1 ((1550))2 , for warheads on deployed ICBMs, warheads on deployed SLBMs, and nuclear warheads counted for deployed heavy bombers in accordance with Article III." He noted that the U.S. was largely accepting the Russian delegation's formulation for "counted for." Adm Kuznetsov pointed out a difference between this subparagraph and the language in paragraph 2(b) of Article III, where the term "nuclear armaments" was used. After a brief discussion, the sides agreed to drop the last five words of paragraph 2 (b) of the U.S. proposed Article II, because a reference to Article III already existed in the paragraph's chapeau. The sides agreed to send this Article to conforming.

ARTICEL III: WHAT'S THE ATTRIBUTION NUMBER?

¶ 16. (S) Taylor provided a new version of subparagraph 2 (b) of Article III, as follows: "For each deployed heavy bomber, the number of nuclear armaments shall be ((three))1 ((one))2 . ((If there are no nuclear armaments on a deployed heavy bomber, one warhead shall be counted for each deployed heavy bomber)) 2." Kuznetsov asserted, as he had in previous meetings, that the Heads of Delegation had reached agreement on the number of warheads that would be counted (attributed

to) each deployed heavy bomber; that number, he said, was one. Taylor repeated that the numbers would remain bracketed, as no agreement had been reached.

III: WHEN HEAVY BOMBERS DIE

¶ 17. (S) Taylor provided a U.S. working paper with a sentence to be added to subparagraph 6 (c) of Article III:

Begin text:

(c) Heavy bombers of a type shall cease to be subject to this Treaty when the last heavy bomber equipped for nuclear armaments of that type is either eliminated or converted to a heavy bomber equipped for non-nuclear armaments in accordance with Part Three of the Protocol to this Treaty.

End text.

¶ 18. (S) Taylor explained that the purpose of this sentence was similar to the sentence regarding when existing types of ICBMs "die" under the Treaty, which is when they ceased to be considered existing types. Kuznetsov recognized quickly that this provision would mean the bombers were no longer subject to inspections under the treaty. He argued that the treaty gave the right to inspect converted bombers to make sure they had not been reconverted back to equipped for nuclear armaments. Taylor explained that the Agreed Statement on the B-1B Heavy Bomber would provide the necessary inspection rights. Kuznetsov said the phrase "subject to the limitations of the Treaty" should be used instead of "subject to the treaty" to make clear that the converted bombers would still be inspectable. The sides agreed to reflect the Russian position in brackets.

¶ 19. (S) The sides agreed to send Article III to conforming. Taylor also handed over a new version of paragraph 3 of Article IV, to rephrase the limit on non-deployed launchers. There was no discussion of this language:

Begin text:

((3. Each Party shall limit deployed and non-deployed launchers of ICBMs and deployed and non-deployed launchers of SLBMs so that seven years after entry into force of this Treaty and thereafter, the aggregate number of such launchers shall not exceed 800.))1

End text.

¶10. (S) After initial resistance, the Russian delegation agreed to send this Article to conforming.

ARTICLE VII AND XI CLEAN UP

¶11. (S) The sides quickly reviewed the status of a conforming issue in Article VII on Conversion or Elimination about whether the verification activity was "inspections" or "inspection activities." The Russian delegation confirmed

its brackets and insistence on "inspections." Moving to Article XI on inspections, the U.S. side agreed to drop its bracket in the last sentence of paragraph 2 around the phrase "equipped for nuclear armaments" since it was redundant of the term "deployed heavy bomber." The sides agreed to send Article XI to conforming.

DEFINITIONS SENT TO CONFORMING

¶12. (S) The following terms were sent to the Conforming Group:

-- The term "air base" means a facility at which deployed heavy bombers are based and their operation is supported.

-- The term "deployed launcher of ICBMs" means an ICBM launcher that contains an ICBM and is not a test launcher, a training launcher, or a launcher located at a space launch facility.

-- The term "deployed launcher of SLBMs" means an SLBM launcher installed on a submarine that has been launched, that contains an SLBM, and is not used for testing or training.

-- The term "non-deployed ICBM" means an ICBM not contained in or on a deployed launcher of ICBMs.

-- The term "non-deployed launcher of ICBMs" means an ICBM launcher that does not contain a deployed ICBM, or an ICBM launcher that is used for testing or training, or that is located at a space launch facility.

-- The term "non-deployed launcher of SLBMs" means an SLBM launcher that does not contain a deployed SLBM, or an SLBM launcher that is used for testing or training.

-- The term "non-deployed mobile launcher of ICBMs" means a mobile launcher of ICBMs that does not contain an ICBM, or a mobile test launcher, or a mobile launcher of ICBMs located at a space launch facility.

ADDITIONAL DISCUSSIONS

¶13. (S) Adm Kuznetsov opened the discussion with a new proposal for the term warhead. The sides discussed the need for this term and whether or not it should be "warhead" or "nuclear warhead."

¶14. (S) The sides continued to discuss using the terms "ICBM base" and "basing area" in place of "deployment area" and "restricted area" but did not reach agreement(Ref A). Mr. Siemon proposed more specific limitations in the definitions

that would specify a limited area of 125,000 sq km for an ICBM base and 5 sq km for a basing area.

¶15. (S) Col Kamenskiy reported back, after reviewing paragraph 2 of Article IV of the INF Treaty following the suggestion of the U.S. side (B), that Russia had no concerns

about compliance. Taylor and Mr. Fraley explained that the concern was that if the Russian proposal for the "new type" definition were to be accepted together with the declaration of the RS-12M2 as an existing type in Article III, there could potentially be a INF violation. The U.S. side further clarified that the purpose of this intervention only was to be sure that no problems were created with this new treaty. Kuznetsov said the Russian delegation would continue to study this issue.

¶16. (U) Documents Provided:

- UNITED STATES:

--U.S. Working Paper, Article II, paragraph 1(b), dated December 17, 2009, in English;

--U.S. Working Paper, Article III, paragraph 2(b), dated December 17, 2009, in English;

--U.S. Working Paper, Article III, paragraph 6(c), dated December 17, 2009, in English;

--U.S. Working Paper, Article IV, paragraph 3, dated December 17, 2009, in English.

- RUSSIA:

-- Russian Federation proposal on the term "warhead", 17 December 2009;

-- Russian Federation proposal on the term "missile-defense interceptor", 17 December 2009; and

-- Russian Federation proposal on the term "test heavy bomber", 17 December 2009

¶17. (U) Participants:

UNITED STATES

Mr. Siemon
Mr. Taylor
Mr. Dean
Dr. Dreicer
Dr. Fraley
Ms. Stewart
Mrs. Zdravecky
Ms. Gesse (Int)

RUSSIA

ADM Kuznetsov
Ms. Fuzhenkova
Col Kamenskiy
Ms. Melikbekian
Mr. Pogodin (Int)

¶18. (U) Gottemoeller sends.
GRIFFITHS